

U.S. Department of Justice  
United States Marshals Service

## PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF UNITED STATES OF AMERICA		COURT CASE NUMBER 05 Cr. 1036 (CM)	
DEFENDANT Daniel E. Marino		TYPE OF PROCESS Publish- Amended Prelim	
SERVE  ▶  AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Sandy Moo, USMS		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 500 Pearl Street, New York, New York 10007		
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285 Number of parties to be served in this case Check for service on U.S.A.	
UNITED STATES ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK  ONE SAINT ANDREW'S PLAZA NEW YORK, NY 10007-1703 ATTENTION: Abigail Seda			

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVER (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Server):

Fold

Please publish the following notice of publication in a newspaper of **NATIONAL** circulation for three consecutive weeks.

CATS # 05-FBI-004712, 05-FBI-005220, 05-FBI-005221, 06-FBI-02664

Please return to FSA Paralegal Abigail Seda, 212-637-2559

Signature of Attorney or other Originator requesting service on behalf of: AUSA BARBARA WARD	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 212-637-1048	DATE 3/23/07
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 54	District to Serve No. 54	Signature of Authorized USMS Deputy or Clerk Sandy Moo	Date 5/11/07
I hereby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input checked="" type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.					
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)					
Name and title of individual served (if not shown above)				A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)				Date of Service 7/11/07	Time am pm
				Signature of U.S. Marshal or Deputy Sandy Moo	
Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund

REMARKS: 7/11/07 - Notice was published in the U.S.A. Today on May 23, May 29 and June 4, 2007. (copy attached)



U.S. ATTORNEY

7950 Jones Branch Drive • McLean, Virginia 22108  
(703) 854-3400



VERIFICATION OF PUBLICATION

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

Being duly sworn, Karri Dvir says that she is the principal clerk of USA TODAY, and is duly authorized by USA TODAY to make this affidavit, and is fully acquainted with the facts stated herein: on Wednesday, May 23, Tuesday, May 29, and Monday, June 4, the following advertisement – **Notice of: United States v. Daniel E. Marino**, was published in **USA TODAY Domestic**.

Principal Clerk of USA TODAY  
June 7, 2007

Subscribed and sworn to before me  
This 7<sup>th</sup> day of June month  
2007 year.

Notary Public

My Commission Expires September 30, 2009

the record high, not adjusted for inflation, hit May 24, according to motorist club AAA. Adjusted for inflation, the all-time high was set in March 1981 at \$3.292 a gallon in today's dollars, according to the Energy Department.

The higher prices have had very little impact on the overall economy. Consumer confidence rose in May despite the surge in gasoline costs, and many retailers, such as Target, have posted strong sales in recent months. Although demand for gasoline has eased, it's still stronger than a year ago.

But for low-income households, the impact has been significant.

Misti Davison, 28, recently told her supervisors at SunBridge Care and Rehabilitation in Tuscumbia, Ala., that she's looking for a job closer to her home in Morris Chapel, Tenn. The activities assistant, who says she loves her job planning events at the senior center, has been driving 66 miles each way to work in her 1998 Nissan Altima. Davison makes \$7.25 an hour.

"I'm spending almost half my paycheck every two weeks on gas," Davison says.

Davison started at SunBridge in January after getting out of an alcohol rehabilitation program nearby. But she recently moved in with her mom in Tennessee to be close to her kids, who are 8 and 6 and have been living with her sister-in-law. To regain custody, Davison says, she needs a home of her own. But with gasoline prices high, she has struggled to save enough to move out.

"I'm someone trying to do right in life, and I'm having a hard time," says Davison, who says it's even expensive to drive to her Alcoholics Anonymous meetings. "Life is stressful."

Jim Letts, a family medicine doctor in St. Paul, sees many of his low-income patients struggling with higher gasoline prices. It's forcing them to make tough choices, he says. Sometimes patients choose to take their medications erratically or not at all.

"For chronic conditions, that doesn't work," Letts says. "People are trying to balance paying \$80 a month for their medication and paying \$50 a (week) for gasoline."

### Cars required for work

Low-income families are hit hard by rising gasoline prices mainly because they have little, if any, wiggle room in their expenses. But there are other factors in play:

► **Cars required.** Low-income workers often must drive.

Poorer families tend to live in central cities, but the strongest job growth in recent years has been in the suburbs, according to UCLA professor Matthew Kahn. From 1994 to 2000, the latest data avail-

industry, requiring them to work nights or weekends when public transportation often is not oper-

don't run as well." Tyrone Vincent of Donaldsonville, La., estimates his 1991 Cadil-



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#### NOTICE OF: UNITED STATES v. DANIEL E. MARINO 05 Cr. 1036 (CM)

Notice is hereby given that on November 23, 2005, in the case of United States v. DANIEL E. MARINO, 05 Cr. 1036 (CM), the United States District Court for the Southern District of New York entered an Amended Preliminary Order of Forfeiture/Final as to DANIEL E. MARINO condemning and forfeiting his right, title, and interest in: (a) \$155,763.43 in cash; (b) \$300,000.00 transferred to the United States Marshals Service ("USMS") Seized Assets Deposit Account on or about September 6, 2006 as a substitute res for the proceeds of the sale of the residence at 261 Bayberry Lane, Westport, Connecticut, 06880; (c) \$500,000 plus interest at a rate of 6 percent per annum, representing the payment on a promissory note dated November 11, 2004; (d) All right, title and interest of the defendant in any investments in Acopia entities or partnerships, including but not limited to, the following funds placed on deposit in the USMS Seized Assets Deposit Account on or about September 20, 2006: i. Meritech, \$154,909.80; ii. Charles River, \$470,738.25; iii. Accel, \$318,973.95; and iv. Star, \$214,177.50; (e) \$100,727,434.02 on deposit in the USMS Seized Assets Deposit Account, representing Bayou investor funds in the amount of at least \$100,001,102.00 (plus interest) that were transferred by the defendants to Account No. 2000026084477 in the name of Majestic Capital Management at Wachovia National Bank in Flemington, New Jersey; and (f) \$370,181.88 on deposit in the USMS Seized Assets Deposit Account, representing monies held by or for the benefit of the defendant, manner as the United States Marshal may direct. Any person having or claiming a legal right, title or interest in the aforementioned property must file a petition within thirty (30) days of the final publication of this notice, which will be July 5, 2007. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

MICHAEL J. GARCIA  
U.S. Attorney/SDNY  
JOSEPH R. GUCCIONE  
U.S. Marshal/SDNY

#### NOTICE OF: UNITED STATES v. SAMUEL ISRAEL 05 Cr. 1039 (SCR)

Notice is hereby given that on March 23, 2007, in the case of United States v. SAMUEL ISRAEL III, 05 Cr. 1039 (SCR), the United States District Court for the Southern District of New York entered an Amended Preliminary Order of Forfeiture/Final Order of Forfeiture as to SAMUEL ISRAEL III, condemning and forfeiting his right, title, and interest in the following: (a) \$500,000 plus interest at a rate of 6 percent per annum, representing the payment on promissory note dated November 11, 2004; (b) All right, title and interest of the defendant in any investments in Acopia entities or partnerships, including but not limited to, the following funds placed on deposit in the USMS Seized Assets Deposit Account on or about September 20, 2006: i. Meritech, \$154,909.80; ii. Charles River, \$470,738.25; iii. Accel, \$318,973.95; and iv. Star, \$214,177.50; (c) \$100,727,434.02 on deposit in the USMS Seized Assets Deposit Account, representing Bayou investor funds in the amount of at least \$100,001,102.00 (plus interest) that were transferred by the defendants to Account No. 2000026084477 in the name of Majestic Capital Management at Wachovia National Bank in Flemington, New Jersey; and (d) \$236,954.58 on deposit in the USMS Seized Assets Deposit Account, representing monies held by or for the benefit of the defendant. The Amended Preliminary Order of Forfeiture having been entered on March 23, 2007, the United States hereby gives notice of its intention to dispose of the forfeited properties in such a manner as the United States Marshal may direct. Any person having or claiming a legal right, title or interest in the aforementioned property must file a petition within thirty (30) days of the final publication of this notice, which will be July 5, 2007. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

MICHAEL J. GARCIA  
U.S. Attorney/SDNY  
JOSEPH R. GUCCIONE  
U.S. Marshal/SDNY

The deadline for Legal Monday is 3 days prior to publication date.

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Rates an  
Offer

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

[illegible]

Plaintiff,

- V -

DANIEL E. MARINO,

Defendant.

[illegible]

## NOTICE OF PUBLICATION

**05 Cr. 1036 (CM)**

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-Of Counsel-